

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office **OCT 12 1982**

Returned to applicant for correction

Corrected application filed **OCT 12 1982** Map filed under **45747**The applicant **Marshall Earth Resources, Inc.****One East Liberty Street - Suite 612** of **Reno**  
Street and No. or P.O. Box No. City or Town**Nevada (89501)** hereby make<sup>s</sup> application for permission to change the  
State and Zip Code No.**Point of Diversion and Place of Use**  
Point of diversion, manner of use, and/or place of useof water heretofore appropriated under **Number 44367**  
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is **Underground**  
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed **1.0 Second Foot**  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for **Mining, Milling and Domestic**  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for **Mining, Milling and Domestic**  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point **within the NW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 34, T13N, R39E, MDM**  
Describe as being within a 40-acre subdivision of public survey and by course and unsurveyed, or at a point from which the Northeast corner of Section 1, T12N, R38E, distance to a section corner. If on unsurveyed land, it should be stated.  
**MDM bears, S 85° 47' 19" W a distance of 16,272 feet.**
6. The existing permitted point of diversion is located **within NW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 6, T12N, R39E, MDM**  
If point of diversion is not changed, do not answer.  
**unsurveyed, or from a point from which the NE corner of Section 1, T12N, R.38E, MDM, bears N45°00'W 933.0 feet.**
7. Proposed place of use **NE $\frac{1}{4}$  Section 33, S $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ , NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Portion N $\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$ , all within Section 34, T13N, R39E, MDM**  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use **NE $\frac{1}{4}$  Section 33, T13N, R39E, M.D.M.**  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from **January 1** to **December 31** of each year.  
Month and Day Month and Day
10. Use was permitted from **January 1** to **December 31** of each year.  
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) **Drilled and cased well, submersible pump, electric motor and distribution system.**  
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works **\$15,000**
13. Estimated time required to construct works **Two Years**

14. Estimated time required to complete the application of water to beneficial use Four Years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water will be used for Mining, Milling and Domestic purposes. It will be utilized with other permits held by the Applicant. Estimated mining average consumptive use is 10,000 gallons of makeup water per day, 365 days per year.

By s/ Harry R. Erickson, Agent  
950 Industrial Way  
Sparks, Nevada (89431)

Compared ds/ bl ll/bc

Protested \_\_\_\_\_

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 44367 is issued subject to the terms and conditions imposed in said Permit 44367 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the Proof of Completion of Work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined rate of diversion issued under Permits 35890, 44366, 46217, 46638 and 46639 shall not exceed 4.189 c.f.s.

The total combined duty of water under Permits 35890, 44366, 46217, 46638 and 46639 shall not exceed 65.18 million gallons annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal, and local agencies.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, but not to exceed 65.18 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before October 17, 1986

Proof of completion of work shall be filed before November 17, 1986

Application of water to beneficial use shall be made on or before October 17, 1989

Proof of the application of water to beneficial use shall be filed on or before November 17, 1989

Map in support of proof of beneficial use shall be filed on or before \_\_\_\_\_

Completion of work filed DEC 17 1986

IN TESTIMONY WHEREOF, I PETER G. MORROS,  
 State Engineer of Nevada, have hereunto set my hand and the seal of


Proof of beneficial use filed \_\_\_\_\_

my office, this 22ND day of FEBRUARY,

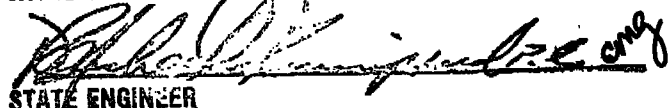
Cultural map filed \_\_\_\_\_

A.D. 19 85

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

  
 State Engineer

WITHDRAWN BY APPLICANT DEC 06 1993

  
 STATE ENGINEER

(PERMIT TERMS CONTINUED)

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

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